

The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

This document contains handwritten text that may be partially illegible due to age, penmanship, or deterioration of the medium. LLMC has scanned the material in the same format and page order in which it is maintained in the source document taken from the collection "Records of the States of the United States of America, a microfilm compilation."

511
L. M. S. of
Grain to 1000
Bis

02

54

Resolves of the District to be approved
in the President and deposited with the Recorder
for the performance of his duties as Sheriff
of this District

Trail Creek Dec 25, 1860
Be it known that we have met for the
purpose of forming Trail Creek District
When on motion R. W. Wain was
chosen chairman and J. P. Wain chosen
Wain on motion the following resolution
was adopted

Resolved that the boundaries of Trail Creek
District shall be as follows

Beginning line between said town
the Falls on Trail Creek and thence run
due North to the top of the Ridge
on the south side of Bear Creek thence
easterly along the top of the Ridge until
it strikes the divide between Bear
Creek and Trail Creek and thence along
said divide to the head of Bear Creek and thence
across the divide between the waters of Bear
and Chicago Creeks to the head of the North
Branch of Chicago Creek and thence south
and easterly around the head of the North

North Branch of said creek and Easterly
along the ridge on the South Side of the
North Branch of Mica Creek to the
mouth of said creek and thence North East-
erly across said North Branch and over
the divide to the place of Beginning.

Resolved that

1 The Officers of this District shall be a
President, Clerk and Recorder, who shall
hold their office until the first of Oct-
ober (1861) and until their suc-
cessors are elected and qualified.

2 Resolved that when any person
shall be assessed to record and return
four hundred feet on Indian Creek and three hundred
feet on Mica Creek as a mill claim.

3 Resolved that the Surveyor of any Loca-
tion District shall be allowed to receive

and hold two sessions each on each and
every second that he may discover in this
District as a Discovery Miner and the same
shall be held as real estate and be exempt
from Execution or Attachment

4. Resolved that R. Harlow Wm. Garrison and
M. Bristol be appointed to act as assessors for
this district and report next Saturday

5. Resolved that at the next meeting
elected President and Wm. Garrison
was only elected Assessor of this district and
M. Bristol was only elected Recorder
of this district

Resolved that the meeting
adjourned until next Saturday at 10
o'clock P.M. J. P. Mitchell Sec
R. Harlow Chairman

Trail Creek Sep. 1, 1860

Met pursuant to adjournment

The President in the chair after which meeting
was called to order and the Committee on
Laws by their chairman, N. Bristol, made
the following report which was read by the
the chair

1. Resolved that it shall be the duty of the Presi-
dent to preside at all miners meetings at
the district and to preside at the
miners court and with the Recorder to
call all meetings of the miners at the
request of three miners of the district

2. Resolved that it shall be the duty of the
Sheriff to serve all process issued by the judges
and to summon all jurors and to collect all
monies by distress Execution or attachment
or otherwise and shall be allowed out of the
moneys by Law in Kansas Territory for
same services and shall give bond in

for one hundred dollars to be approved
by the Judge and Recorder and deposit the
same with the Recorder for the faithful
performance of his duties as Sheriff of this
District

Resolved that it shall be the duty of
the Recorder to Record all claims in this
District for which he shall be entitled to
receive Seventy five cents (75¢) for Mine
Gates and Lode Claims and one dollar
for Tunnel Claims and act as clerk at all
meetings in the District and keep a record of
the Laws of the District and work all notices
of miners meetings and shall receive one
dollar for posting notices to be paid by those
calling the meeting

7 Resolved that all disputes about claims
and all demands for damages
shall be tried by a jury of six miners

Before the Judge of the District and under
decision shall be three, and three shall be
entitled to receive one and one and one each
each and the taking shall be as follows
the fees awarded in the cases of Kansas Territory
for surface of the place.

Provided that the number of the jury may
be increased to twelve at the request of either
party, at the expense of the party, which
may increase.

5

Resolved that no person shall be
entitled to live claim except he discovers
and the Quick claim shall be

6

Resolved that all Live claims shall be
set by 50 feet x 40 feet Live claims
which shall be 20 feet by 50 feet and
Quick claims shall be 100 feet

7 Resolved that no claim shall be taken for
no Parts except those contracted in working
claims in this district for Locomotive
iron tools machinery and so forth

8 Resolved that all claims shall be recorded with
in fifteen days from the time they are stated
otherwise they are rejected and all claims
recorded shall now go on marked as first on
May 1st, 1861 and no new shall except
the little claims before at that time

9 Resolved that no Lawyer or Attorney
solicitor or Petitioner shall be allowed to take
in any case or color any Term or Judge
in this District

Thomas H. Mason

Wm Griffith

and in motion the report was adopted

When on motion it was resolved That in any case
or persons shall be found guilty of defacing any
Statue or Tree that has been set up in any
Lodge, or in any other place, or in any
or they shall be liable to the costs and costs
of suit the one half to the prosecutor and
the rest to be received in and under the
order of the direction of the President of the
District

It was also resolved
that the members of the District
shall be notified by notice of the
meeting and also to order the President
in the case

The following resolutions were adopted
Resolved that on or before Dec 5th the members
of the District shall be notified by notice
of the meeting and also to order the President
in the case

Resolved that each and every person
entitled to hold one share of property

upon each and every Lot in this district
in their own name

- 3 Resolved that from and after this date all
claims in this district and all claims
hereafter taken in this district shall be
measured and located as well as the same are
is hereby declared to be Real Estate as of
the time or times when the recorder of
deeds begins the first or recording
to the latest record of the same date they are
recorded and before which time they shall be
free of all taxes laws or rules of record and of
the recorder of deeds to measure
and locate all claims as soon as the location
and direction of the Lots is determined
Provided that if the holders of any claim or claims
shall fail to pay said tax for one year then
said claim or claims shall be forfeited.

4 Resolved that each and every person recording
a Tunnel claim shall be entitled to have 200
two hundred feet on each side of the shaft
and 200 hundred feet 200 from the mouth of
the shaft and no person shall be allowed to
hold more than fifty feet deep on any un-
discovered lode at the time of recording of
the Tunnel claim and all Tunnel claims
file previous to this date shall be deemed
valid and the right of way through ad-
jacent previous lodes shall be seven feet square

5 Resolved that each and every person holding
mineral claims be allowed to record and locate
the same as quick as they

At a meeting of the miners of Trail Creek
District held at the Office of the Recorder
Dec 8 / 61 the President in the chair

It was moved and carried that this is not
relinquish to Trail Creek District
that part of the District lying on

Trail creek below the Forks of Trail Creek
and to the top of the divide on each side of
Trail Creek and including ^{up to} all that Territory
lying East of T₆ between River and Lower List
2 moves are carried, that in the absence of
President it shall be the duty of the recorder
to act as President at all meetings in
the miners and to sit as judge and
fill all the duties of President and judge
of the District in the absence of that officer

3 It was moved and carried that any person
or persons be found guilty of cutting any
timber or the carcasses or removing it
from the district shall be fined five dollars
for the first offence and exhibiting one
shall be considered an offence and
others for the second and so on
for every subsequent offence and the person
or persons so prosecuting the offence shall
be entitled to one half of the money

arising from said lines and the balance to be
expended under the direction of the president
in building Roads and Bridges and cost of
it shall be added to the line

W. Bristol, Sec

At a meeting held at the Recorder's office
Trail Creek Test Dec 25 the Resolutions
were adopted

Resolved that lots shall be forty at front
or one hundred feet and then a square
forty feet on the back end on each lot

Resolved that every person recording a
lot shall commence a return upon
the same within thirty days and com-
plete the same upon said lot within
thirty days from the time of recording
or forfeit said lot

Resolved that ~~Forty~~ ^{one} ~~cent~~ on each acre
or every sixth of acre the mill tax
back up the mountain a street shall
be reserved from record. Forty cent
will forty from each end of every
mill station.

Resolved that the one half of the tax
will on the balance to make new
Real Estate shall be held in the region
as specified. Treasurer for the benefit of
widows and orphans or occasional miners
and the orphans and unfortunate
and orphans and miners
in this district the sum to be paid
in the region the reorganization of three
regions - covering the miners of the
district where duty it shall be to visit
the orphans and orphans of the district
and the sum so created to be drawn out
by the certificate of the President

upon the recommendation of said Committee
of three said Tax shall be considered due
on the first of July in each year and
if not paid on the first of October in
business or business shall be forfeited
and subject to preemption the same as all
taxes in the District

Resolved that no timber cut for sawing
shall be cut up into logs within five
days or oriented and the logs after
are cut shall be drawn away and
the stump within thirty days
after shall be removed and removed
but in following purposes for the
timber on the site where it is to be
used in building within thirty days
from the time it was cut or removed
shall be removed

~~He is the~~

Resolved that there shall be no more
blank exemption which shall be as
narrow as the building lot and shall
run upon the same together with the
necessary being and keeping permanent
and Twenty Five feet of Side Blame
and the necessary tools to work the
same and Twenty ^{days} provisions shall
be exempt from Exemption or
attachment to any one using the
same as a family or any one hold-
ing a blame and working the same
and the option to cover the shaft
on said blame

Resolved that the receiver shall
be entitled to receive fifty cents
for receiving Transfers for
one hundred words and fifty
cents for each additional
hundred words on Bristol sea

At a meeting held at the Recorder's
Office in Wall Street District
on the 2^d May 1861.

When the following resolutions were
reported and adopted.

Whereas on motion the Committee on
resolutions were ordered to report -
When said Committee made the
following report that necessary measures
the report of the Committee on
said resolutions were adopted for the South
section of the middle fork of Turkey
Creek situated at the head of said
section to be built running down the
same to the head of South Creek
Creek.

And

When on motion it was resolved that
hereafter no person shall be admitted
to the District of any section or be
admitted to be built on an actual section.

Resolved that no person shall be allowed
to vote at any Election of Officers in
any for this district unless he shall
have been an Actual Resident of
the District for Ten days previous to
said Election of Officers

At Bristol Sec. 4 Oct, Res

at a meeting held at the recorder's
office on the fourteenth day of March
A.D. 1861 in open Convention

It was decided that the Resolutions
passed on the 12 of March are hereby
declared valid.

Resolved that all raising money
up the Main street be forty feet instead
of eighty feet wide

Resolved that where one side
crosses another that the Chief of the
shall be entitled to hold the bridge

And the owner of the Craig Lode
shall be entitled to work up to the
boundary provided that he shall not place
any construction in the way or the
direct claimant or on every person
shall be entitled to all shafts and
blowouts within the 1/2 section allowed
by this district

Resolved that
The Law governing mining real estate
is hereby repealed.

Resolved that
all claims be used as real estate

Resolved that
No Meeting to divide trail track
District can be called unless by
petition of Fifty Miners of the
District and no Division can
be had without a majority

of Two Thirds of all the claim
notices of the district

Resolved that
The regular meetings shall be the first
of Jan The first of July and the first
of Oct in each Year and no law shall
be altered or amended only at a regular
meeting

Resolved that
all Discovery claims hereafter recei-
ved shall be recorded free of charge

W Bristol, Soc

Laws of Trail Creek District

At a meeting of the citizens of Trail Creek District held May 29th 1861 at 1 o'clock P.M. a Committee consisting of Henry J. Burghardt, Charles Bogg, John C. Sooney, B. R. Colvin and Mrs. W. Valentine, was appointed to codify and amend the Laws of said District and to report the said laws so codified and amended in a meeting to be held June 3rd at 7 o'clock P.M. The committee made the following report which was adopted.

Boundaries of District

Section 1. Be it enacted by the Citizens of Trail Creek in Convention assembled that the boundaries of this District be as follows, Commencing at the Forks of Trail Creek, thence running due north to the Summit of the divide between Trail Creek and Clear Creek thence along the summit of said divide westerly until it strikes the divide between the Head of Trail Creek and Clear Creek thence along the divide between the waters of Clear Creek and Chicago Creek to the Head of the North branch of Chicago Creek thence South and easterly along the Summit of the divide between the north Fork of Chicago Creek and Trail Creek, until opposite the Forks of Trail Creek, thence to the place of beginning.

Section 2. Be it further enacted, That if any persons shall wish to change the boundaries

of this District, or erect another within
the same, or annex any territory to the
same not belonging thereto, a Public
meeting of the Citizens of this District
shall be called and ten days notice
given of the same by posting twelve
notices of said meeting in as many
conspicuous places within the district
Adopted June 5th 1861

Officers of the District

Be it enacted by the citizens of Marl
Buck in Convention assembled, That the
Officers of this District be a President
Sheriff and Recorder,

Section 2. Be it further enacted, that the President
Sheriff & Recorder shall hold their respective
offices until the first Monday in October
next and until their successors are elected &
qualified, and from and after the first
Monday in October next said officers, to be

Elected for one year
Adopted June 5th 1861

Duties of the President

Be it enacted by the citizens of Trail Creek
in Convention assembled; That it shall
be the duty of the President to preside
over all miners meetings, to act as Judge
of the Miners Court and to call miners
meetings when the same may be necessary
or at the written request of ten residents
of the District, It shall also be the
duty of the President to act as Judge of
Probate in the settlement of the Estates
of Deceased residents of the District,
We shall give bonds in the sum of one
thousand dollars for the faithful performance
of his duties, to be approved by the Recorder
the same to be deposited with the
Recorder

Adopted June 5th 1861

Duties of the Sheriff.

Be it enacted by the Citizens of Prail Creek in Convention assembled, That it shall be the duty of the Sheriff to serve all process issued by the Mining Court, and before entering upon the duties of said office he shall give Bond with good and sufficient security which shall be approved by the Judge and Recorder in the sum of one thousand dollars, for the faithful discharge of his duties. Said Bond to be deposited with the Recorder. He shall be a conservator of the Peace and take oath that he will faithfully and impartially discharge all and singular the duties pertaining to said office.

Adopted June 5th 1861

Duties of the Recorder

Be it enacted by the Citizens of Trail
Creek in Convention assembled, That it
shall be the duty of the Recorder duly
to keep the books and records of the District
and to file and record all proper papers
on payment of his fees, and to act as
Secretary of all minor meetings of the
District,

Be it further enacted, That the books of
records shall always be open to the in-
spection of all persons, never to be
taken from the possession of the Recorder
and that no paper or claims shall be
filed or recorded by any other person
unless a regularly appointed deputy.
All persons shall be entitled to a copy of
any record at any time upon payment
of fees to the Recorder for the same -
The Recorder shall deliver over all books
and records to his successor in office.

In case of absence, interest or inability of
the President the Recorder may act in ~~his~~
all cases in his stead.

Be it further enacted, That the Recorder
shall be entitled to fifty cents for each
claim, deed, mortgage, Bill of sale or
other writing necessary to be recorded and
for copies of Record with certificate of
same, containing one hundred or a
less number of words, and for every
one hundred or fraction thereafter,
twenty five cents. In all cases fees must
be paid in advance - Each deed, mortgage
or bill of sale shall be witnessed by two
witnesses, no transfer of any claim of any
kind shall be valid unless the fees are
paid for all original records - Therefore
made in regard to said claims.

Presumptive claims taken by females
resident of the District shall be recorded
free.

Adopted June 3rd 1861

X
Lawyer

Be it enacted by the Citizens of Trail
Creek in Convention assembled - That
no practicing Lawyer, or any other per-
son having been admitted as such
in any state or Territory shall be per-
mitted to appear in any cause pending
in this District as Attorney or agent of
any person, except he himself is a
legal party to said suit, and was a
party in interest before the Commence-
ment of such suit, and if a lawyer
should be a legal party to any suit the
opposite party may also employ counsel
in his case if he chooses so to do, but
in all other cases lawyers shall not
be admitted.

Adopted June 5th 1861

An Act regulating Elections

Be it enacted by the Citizens of Trail Creek in Convention assembled, That at all elections held in this District there shall first be an election by acclamation of three judges and two clerks of said election, who before entering upon their duties shall first, take oath to faithfully and impartially endeavor to prevent all fraud and deceit in conducting the same - and upon any vote being challenged by any person Elector - either of the judges may administer any oath necessary to determine the right of said voter - and at the close of the polls the judges & clerks shall proceed to canvass the votes, and the person receiving the highest number of votes for each respective office shall be declared duly elected - and said board shall ~~to declare~~ issue certificates of election to the several officers, according to their

respective offices.

~~Adopted June 3rd 1861~~

Section 2. Be it further enacted. That any white person who has attained the age of sixteen years & resided in this District for ten days previous to any election shall be entitled to vote at all elections and meetings in this District.

Sec. 3 Be it further enacted, That all elections for officers of this District shall be called by giving ten days notice of the same by the President.

Approved June 3rd 1861

Vacancies

Be it enacted by the Citizens of Trail Creek in Convention assembled, That any officer resigning or removing from the District shall be required to deposit all the books papers money &c belonging to the District or pertaining to his office, with the remaining officer or officers who shall

immediately call an election to fill
such vacancy.

Approved June 5th 1861

Claims.

Be it enacted by the Citizens of Prail
Creek in Convention assembled. That
the term "claim" as used in this
District shall be construed to mean
when applied to a Lode. One Hundred
feet in length and the crevice of the
Lode, when applied to a Gulch one
Hundred feet in length and from
bank to bank, when applied to tunnel
claims the entire distance intended
to run the same for discovery purposes
as shown by record and the state at
the mouth of the Tunnel. when applied
to a mill claim four Hundred feet on
the Stream and fifty feet on each side
of the same, when applied to a Building

claim forty feet in front and running
back one hundred feet.

Sec. 2 Be it further enacted, That no person shall
hold more than one mill, or building
claim except by purchase.

Sec. 3 Be it further enacted That all lode claims
shall be held as real estate.

Sec. 4. Be it further enacted That each discovery
claim shall be two hundred feet in length,
shall be marked as such and before any
Lode shall be recorded the claim shall
be defined by the discoverer of the same
and no presumption shall be valid on
such lode until the claim shall be so
defined and recorded, and discoverers
of lodes shall be allowed fifteen days from
the time of staking their discovery to record
the same.

Sec. 5. Be it further enacted, That each lode claim
shall be allowed twenty five feet on each
side for depositing dirt quartz, except

where two lodes run parallel within less than fifty feet of each other or crossing each other, when the ground shall be equally divided between the two lodes and where two lodes cross each other the oldest shall have the right of way across the other.

Sec. 6. Be it further enacted, That all building claims shall be improved within fifteen days from the time of taking the same or forfeited, and all building claims taken previous to the passage of this law shall be improved within fifteen days from its passage or the same shall be forfeited.

Sec. 7. Be it further enacted That all mill claims shall be improved within one year from the passage of this law or the same shall be forfeited, and no two mill claims shall be allowed side by side on any gulch.

Sec. 8. Be it further enacted, That all discovery

claims on lodes shall be examined by two competent witnesses chosen by the discoverer for that purpose, who shall file with the Recorder a written certificate that the same is a discovery within the laws of this District before the same shall be recorded.

Sec. 9 Be it further enacted That no person shall hold more than one claim on any lode or gulch except by discovery or purchase -

Sec. 10 Be it further enacted That no person shall hold a claim by prescription in this District who is not an actual resident of this or some mining district in the Rocky Mountains -

Sec. 11 Be it further enacted that no person shall be allowed to take timber claims within this district -

Sec 12. Be it further enacted That no person or persons shall be allowed to claim Town or Village sites within this district -

Tunnel Claims

Be it enacted by the Citizens of Toad. Ant. in convention assembled. That if any person or persons shall locate a Tunnel claim in this District for the purpose of working the same he or they shall first file a specification of the same with the Recorder whose duty it shall be to record the same upon payment of his fees. Said Specification shall state the place of commencement and the termination of said tunnel together with the names of the parties interested therein. A square stake shall be placed at its mouth having written thereon the same things hereby made necessary to record. Any person or persons engaged in working a tunnel provided he or they shall comply with the requirements of this law. shall be entitled to two hundred feet on each side of the center of said Tunnel of all lodes that they are the original discoverers of: also the

right of way through all lodes that may have been previously discovered, and such parts of lodes as said tunnel owners are entitled to by this law shall be held as discovery claims. The line of all tunnel claims shall be surveyed and plainly stated or marked from the commencement to the termination thereof prior to the commencement of the work.

If any person or persons locating a tunnel claim shall fail to work the same continually from the time herein specified they shall forfeit their claim to said tunnel but not to the lodes they may have discovered and held by virtue of discovery, before the time of said forfeiture -

Each and every person locating tunnel claims shall commence work in the same within five days after such location, and all tunnel claims heretofore taken are hereby declared forfeited unless

the owner of the same shall commence work thereon within five days from the passage of this law and work the same in the manner hereinbefore mentioned with regard to tunnel claims to be hereafter taken. Any person or persons taking a tunnel claim and complying with the provisions of this law are allowed one hundred and fifty feet on each side of the mouth of said tunnel for the depositing of Earth, Stone or the same to be deposited in such a manner as not to interfere with the course of the stream on which such tunnel may be located or with any mill site that may be located on such stream. Adopted June 5th 1861.

Resolves

Be it enacted by the Citizens of said County in Convention assembled: That the President shall be judge of the Miners Court of the

District and any person having any
cause of action shall file ~~the same~~
with the judge the cause of complaint
written in plain English Language -
and a prayer that the adverse party
may be summoned to appear and
answer to said complaint, and also file
with the judge good and sufficient
security for the costs in the suit. Whereupon
the judge shall summon the defendant
to appear at a given time and place
mentioned in said summons which
shall not exceed ten days from the
issue of said summons, and if the
defendant fails to appear the judge may
proceed to try the cause and render judg-
ment according to law and the evidence
and if the parties appear they may sub-
mit their cause to the Court or to a jury
of six disinterested persons, and if
either party shall require a jury of

to do the same shall be granted upon
payment by the party so requiring the
same of the fees of such extra jury men
All juries shall be sworn by the judge
to try all causes according to law
and the evidence. Either party may
have an adjournment not exceeding
ten days upon proper cause being
shown under oath, after hearing of
any cause as heretofore specified.
The decision of such jury or of the
Court as the case may be shall be
final.

Adopted June 5th 1861

Judgment and Execution

Be it enacted by the citizens of Paul
Smith in Convention assembled, That a
judgment shall be a lien upon all
property of the defendant from the time
of its being rendered, and the judge the

issue execution forthwith upon judgments including interest and costs, which shall be made returnable ten days after the date thereof, and the Sheriff shall give public notice of the time and place of sale of all property levied upon by him which shall be by three written advertisements posted in three public places in the District at least ~~ten~~ days before the sale thereof - and all such property shall be sold to the highest bidder, at public auction to satisfy the execution and accruing costs. But before proceeding to said sale the Sheriff shall summon three disinterested persons to appraise the cash value of such property and on the offering of the same for sale as hereinbefore specified the same shall bring at least two thirds of the appraised value of the same

and if at the first offering of the same
such two thirds valuation shall not be
offered for such property the Sheriff
shall adjourn the sale thereof until
such time as he may deem proper.

Sec 2. Be it further enacted, That on all
Real Estate sold to satisfy Executions
and costs, there shall be allowed six
months time to the defendant to redeem
the same by paying the full amount
for which the said property was sold
with interest at the rate of ten per
cent per annum. And in all cases
the following property shall be exempt
from sale on execution To wit, the house
and lot which may be the residence of the
defendant, necessary cooking utensils,
and bedding, provisions sufficient for
three months, and if the defendant be
the head of a family, sufficient for
said family for the same length of time.

also one mining claim the same to be
selected by the defendant in execution,
and necessary tools for the working of
the same.

Approved June 5th 1861

Waits of Attachment

Be it enacted by the Citizens of Trail
Met in Convention assembled, That
upon application of any person holding
a legal claim against a non resident
debtor, or any debtor about to abscond
or move out of the jurisdiction of the
Courts, or about conveying or concealing
his property to the injury of his creditors
or securing himself within the district so
that legal service cannot be had, or
fraudulently conveying or concealing his
property to defraud his creditors upon filing
an affidavit setting forth any of the afore-
said facts and the amount and nature

of his claim, and paying or securing the costs as the Court directs, the judge shall issue a writ of attachment, to attach all the goods and chattels, lands & tenements, monies, credits and effects of the debtor, within the District. Notice of the issue of said writ shall be given by the Plaintiff by posting up written advertisements in five conspicuous places in said District within twenty four hours after the issue of said writ, stating the time and place where said cause will be tried, which shall not be less than six nor more than ten days from the issue of said writ, and if the defendant or his legal agent appears, he shall have a fair trial, and if he fails to appear the Court shall proceed to hear & determine the cause according to law and the equity of the case, and render judgment and award execution as in

other cases, and the property attached by the officer shall remain in possession of said officer until the final termination of said suit, and be sold as other property of the same nature, upon the execution issued upon such judgments. But if the defendant is a resident of the District, he shall be served with a personal notice - Approved June 5th 1861

Garnisher

Be it enacted by the citizens of Fair Creek in convention assembled; That Garnisher process may issue as part of the original writ, to be served on both defendant and Garnisher when the defendant is a resident, or separately, as the nature of the case may require; or it may issue after execution is returned unsatisfied, and in either case, if the

garnisher shall pay the demand over
to the defendants, after legal notice, he
shall still be held liable to the amount
of the plaintiffs judgment and costs,
if he was indebted to that amount
when service was made, and if in a
smaller sum the amount he was
indebted at the time notice was served.
Approved June 3rd 1861

Writ of Replevin

Be it enacted by the citizens of Trail
Creek in Convention assembled. That any
person being in possession of personal
property of another, the opposite party
may file with the judge of the court
an affidavit setting forth the name
of the defendant, or defendants, with
a description of the property claimed
and that he is justly entitled to
the possession thereof, and that said

Property is wrongfully detained by
said defendants, or defendants, and
that said defendant or defendants
refuse, upon demand thereof, to give
it up, and upon said Plaintiff
paying or securing costs to the satisfac-
tion of the Court the Court shall issue
a writ of Replevin for said property,
and a summons for the defendant
or defendants to appear before him
at a time and place in said Summons
mentioned, to answer unto said Plaintiff
for the unlawful detention of said prop-
erty, and the officer to whom said
writ is delivered shall take possession
of the same, and notify the defendant
or defendants to appear before the
Court, at the time and place men-
tioned in said writ, to answer unto
said Plaintiff for the unlawful
detention thereof; and if the

plaintiff file a bond, with security to the satisfaction of the defendant or defendants or the Court, within twenty-four hours from the service of said writ. Said property shall be delivered to the plaintiff, and if he fails so to do the property shall be returned to the defendant or defendants, and the plaintiff and his securities shall be liable on their bond for all costs & damages, to be assessed ^{forthwith} by the Court, or jury, as the parties may elect, and if it appear, upon the trial of the cause, which may be had as in other civil cases, that the right of possession is in the plaintiff, then the Court shall render judgment against the defendant or defendants, for damages and costs, according to the award judgment or verdict, as the case

may require, and issue execution as in
other civil cases

Approved June 5th 1861

Ejectments

Be it enacted by the people of Trail
County in Convention assembled. That
any person being in possession of
real estate claimed by another, the
claimant may institute his suit of
ejectment, which shall be proceeded
in as in other civil cases and decided
according to law and the equity of the
case, and if the claimant sustain his
action, the defendant shall be removed
by order of the Court, within five days
from the trial of the cause, and pay
all costs, and, in default thereof, the
Judge shall issue a writ of possession
or execution, as the nature of the case may
require. If the plaintiff fail to establish

his claim, he shall be liable to the
defendants for all costs and damages,
to be determined as in other civil cases.
Approved June 5th 1861

Liens

Be it enacted by the citizens of Pratt
and in convention assembled. That any
person performing labor or furnishing
material for any buildings, claims, or other
kind of work, at the request of the owner
or agent thereof, shall be entitled to a
lien upon the same for the amount of
such labor performed, or material furnished
provided said lien is filed and recorded
within six months from the time said
labor was performed or material furnished
and all conflicting liens shall have
priority according to their respective ori-
gins if filed and recorded as aforesaid.
Approved June 5th 1861

Fees

Be it enacted by the citizens of Prail
County in Convention assembled, That the
following list of fees shall be the legal
fees for officers in this District.

Sheriffs Fees

Serving Summons	50 ^c	50 ^c
Each additional person named in summons		25 ^c
Serving venire		1.00 ^c
Collecting Executions	10 per cent.	
Serving & ~~collecting~~ Executions		50 ^c
Advertising Sale on Ex		50 ^c
Taking Charge of Jury		1.50 ^c
Serving & returning attachments		1.00 ^c
Mileage one way		10 ^c

Judges Fees

Presiding in each case	\$3.00
Issuing Summons	75 ^c
Each additional name mentioned	25 ^c
Issuing Venire	1.00 ^c

Issuing Subpoena	75 ^c
Each additional name mentioned	25 ^c
Issuing Execution	75 ^c
Issuing attachment	1.00

Sheriff's Fees	
For days	2.50

Approved June 30 1861

Be it enacted by the citizens of Trail
Creek in Convention assembled, That
no Quartz mill owner shall be allowed
to run tailings into any stream upon
which their mill may be located -
under a penalty of two hundred dollars
for the first offence and five hundred
dollars for each succeeding offence -
Approved June 5th 1861

Be it enacted by the citizens of Trail
Creek in Convention assembled, That any
person or persons wilfully setting fire
in timber shall be fined one hundred
dollars and banished from the district
and the property in this District belong-
ing to said person or persons shall be
forfeited for the benefit of the District
Approved June 5th 1861

Be it enacted by the citizens of Trail
Creek in Convention assembled, that no
butchering shall be allowed within
five hundred feet of the main gulch
or its tributaries, and any person losing
an animal shall bury or remove the
same out of the district within twenty
four hours from the death of said
animal, and the penalty for the
violation of either of the last two
sections shall be a fine of fifty
dollars -

Approved June 5th 1861

Be it enacted by the citizens of Trail
Creek in Convention assembled, that all
timber shall be removed within
twenty days from the time it is cut,
or said timber will be forfeited.
Approved June 5th 1861.

Obstructions in Road

Be it enacted by the Citizens of Trail Creek in Convention assembled, That any person or persons falling trees across or placing any other obstruction in any travelled road in this District so as to hinder travel in the same, shall remove the same within one hour from the time of placing such obstruction and on failure to remove the same shall be fined the sum of five dollars, and the further sum of five dollars for each and every hour thereafter that the same may be left in such road -

Approved June 3rd 1861

Fines how appropriated

Be it enacted by the Citizens of Trail Creek in Convention assembled, That all fines collected in this District for the violation of

any law shall be appropriated to the
repairing of roads and bridges in and
leading to this District
Approved June 3rd 1861

Highway Commissioners
Be it enacted by the citizens of Trail
Creek in Convention assembled, that
there shall be elected two Highway
Commissioners, whose duty it shall
be, together with the judge to super-
intend all repairs on roads and bridges
within this District, and who shall keep
a correct account of all monies expended
and report the same to the annual
meeting or election to be held as here-
inbefore provided for
Approved June 3rd 1861

Not Lido Debt
Be it enacted by the citizens of Trail

Creek in Convention assembled, That no
debt or demand of any kind shall be
collected by suit in this district which
has not originated either in coming
to this mining region or since the arri-
val of such debtor therein -
Approved June 3rd 1861

Be it enacted by the citizens of Trail
Creek in Convention assembled, That all
laws contravening with the laws now
adopted be and the same are hereby
repealed
Approved June 3rd 1861

Trail Creek Oct 25th 1861
At a meeting of the miners of
Trail Creek held Oct 25th A.D. 1861
The following ^{laws} were adopted.

That all Certificates now lying
in the Recorders Office not called
for are to be sold at public auction
in thirty days from date. &
all claims not sold at said
sale will be subject to forfeiture.
The proceeds of said sale, after
the Recorders fees are paid
go to the District.

All Voluntary Claims are
Exempt from sale.

All Claims must be recorded
within 15 days from filing or
they are forfeited.